

SENATE BILL 3231
By Holcomb

AN ACT to amend Chapter 84 of the Private Acts of 1991; and any other acts amendatory thereto, relative to dangerous properties, buildings, sidewalks, and construction in the city of Bristol.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 84 of the Private Acts of 1991, and any other acts amendatory thereto, is amended by deleting Section 2-5(11) in its entirety and by substituting instead the following:

(11) Dangerous properties, buildings, sidewalks, construction.

(a) To impose penalties upon the owner or owners, occupants, or agents of any property, building, wall, sidewalk, or other structures which may be considered dangerous or detrimental to the citizens, unless after due notice, to be affixed by ordinance, the same to be removed, repaired or demolished; to regulate and provide for the construction and repair of sidewalks and foot pavements, and for the repair, removal and demolition of dangerous property, buildings, and walls, at the cost and expense of the owner of the dangerous property, or the owner of the property abutting a dangerous sidewalk or footpath; and if the owner or owners of such dangerous property or of such property abutting a dangerous sidewalk or footpath shall fail to comply with the provisions of the ordinance within such time as may be prescribed, the city of Bristol may

contract for the construction or repair of the sidewalks or pavements, or the repair, removal and demolition of such properties, buildings, and walls, and the amount to be paid shall be a lien upon the lot containing the dangerous property or the lot abutting such dangerous sidewalk or footpath, and may be enforced by attachment in the same manner as a city property tax lien against the property; or the amount may be recovered against the owner by suit before any court of competent jurisdiction; or the city may provide by ordinance for construction and repair of sidewalks and foot pavements and for the repair, removal and demolition of property, buildings, and walls at the cost and expense of the owner of the property or property abutting the sidewalk or foot pavement, and the failure of any person to comply with the ordinance, after notice as prescribed therein, shall be deemed a misdemeanor, and punishable by a fine in the same manner as for the violation of other ordinances of the city. Buildings shall be deemed to mean any and all structures designed for the shelter of humans, animals, or other property, whether residential or commercial, occupied or vacant, open to the public or not.

(b) Any condition created on property within the city of Bristol which is dangerous or detrimental to the citizens because of debris stored on the property, unless by due notice and to be affixed by ordinance, the same to be cleared and removed, and if the owner or owners of such property shall fail to comply with the provisions of the ordinance within such time as may be prescribed, the City of Bristol may contract for the clearing and removal of the debris and the amount so paid shall be a lien upon such lot, and may be enforced by attachment in the same manner as a city property tax lien against the property; or the amount may be recovered against the owner by suit before any court of competent jurisdiction; and the failure of any person to comply with

the ordinance, after notice as prescribed therein, shall be deemed a misdemeanor, and punishable by a fine in the same manner as for the violation of other ordinances of the city. It shall not be a defense to this sub-section that there is an owner-occupied residence on the property.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the city of Bristol. Its approval or nonapproval shall be proclaimed by the presiding officer of the legislative body of the city of Bristol and certified to the Secretary of State.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 3.

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